

Union Calendar No. 252

115TH CONGRESS
1ST SESSION

H. R. 1096

[Report No. 115–348]

To amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2017

Mr. STEWART (for himself, Mr. LONG, Mr. ROSKAM, Mr. TIPTON, Mr. CHAFFETZ, Mr. PEARCE, Mr. MCCLINTOCK, Mr. BISHOP of Utah, and Mr. BURGESS) introduced the following bill; which was referred to the Committee on the Judiciary

OCTOBER 16, 2017

Additional sponsors: Mr. JOHNSON of Louisiana, Mr. GOSAR, and Mr. AMODEI

OCTOBER 16, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 15, 2017]

A BILL

To amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Judgment Fund Trans-*
5 *parency Act of 2017”.*

6 **SEC. 2. JUDGMENT FUND TRANSPARENCY.**

7 *(a) TRANSPARENCY REQUIREMENT.—Section 1304 of*
8 *title 31, United States Code, is amended by adding at the*
9 *end the following:*

10 *“(d)(1) Unless the disclosure of such information is*
11 *otherwise prohibited by law or court order, the Secretary*
12 *of the Treasury shall make available to the public on a*
13 *website, as soon as practicable, but not later than 30 days*
14 *after the date on which a payment under this section is*
15 *tendered on or after January 1, 2016, the following infor-*
16 *mation with regard to that payment:*

17 *“(A) The name of the specific agency or entity*
18 *whose actions gave rise to the claim or judgment.*

19 *“(B) The name of the plaintiff or claimant.*

20 *“(C) The name of counsel for the plaintiff or*
21 *claimant.*

22 *“(D) The amount paid representing principal li-*
23 *ability, and any amounts paid representing any an-*
24 *cillary liability, including attorney fees, costs, and*
25 *interest.*

1 “(E) *A brief description of the facts that gave*
2 *rise to the claim.*

3 “(F) *The name of the agency that submitted the*
4 *claim.*

5 “(G) *Any information available on reports gen-*
6 *erated by the Judgment Fund Payment Search ad-*
7 *ministered by the Treasury Department.*

8 “(2) *In addition to the information described in para-*
9 *graph (1), if a payment under this section is made to a*
10 *foreign state on or after January 1, 2016, the Secretary*
11 *of the Treasury shall make available to the public in accord-*
12 *ance with paragraph (1), the following information with*
13 *regard to that payment:*

14 “(A) *A description of the method of payment.*

15 “(B) *A description of the currency denomina-*
16 *tions used for the payment.*

17 “(C) *The name and location of each financial in-*
18 *stitution owned or controlled, directly or indirectly,*
19 *by a foreign state or an agent of a foreign state*
20 *through which the payment passed or from which the*
21 *payment was withdrawn, including any financial in-*
22 *stitution owned or controlled, directly or indirectly,*
23 *by a foreign state or an agent of a foreign state that*
24 *is holding the payment as of the date on which the*
25 *information is made available.*

1 “(3) *Not later than January 1, 2018, and annually*
2 *thereafter, the Secretary of the Treasury shall make avail-*
3 *able to the public on the website described in paragraph*
4 *(1)—*

5 “(A) *the total amount paid under this section*
6 *during the year preceding the date of the report; and*

7 “(B) *the amount paid under this section during*
8 *the year preceding the date of the report—*

9 “(i) *for attorney fees;*

10 “(ii) *for interest; and*

11 “(iii) *for all other payments.*

12 “(4) *In this subsection, the term ‘foreign state’ has the*
13 *meaning given the term in section 1603 of title 28.*

14 “(e) *Except with regard to children under eighteen, the*
15 *disclosure of information required in this section shall not*
16 *be considered a ‘clearly unwarranted invasion of personal*
17 *privacy’ for purposes of title 5, United States Code.*

18 “(f) *No payment may be made under this section to*
19 *a state sponsor of terrorism, as defined in section 1605A(h)*
20 *of title 28, or to an organization that has been designated*
21 *as a foreign terrorist organization under section 219 of the*
22 *Immigration and Nationality Act (8 U.S.C. 1189).”.*

23 (b) *IMPLEMENTATION.—The Secretary of the Treasury*
24 *shall carry out the amendment made by this section by not*
25 *later than 60 days after the date of enactment of this Act.*

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